

ORDINANCE NO. A-545

AN ORDINANCE AMENDING SECTIONS 6 AND 7
OF ORDINANCE NO. A-442 ADOPTED BY THE
CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS
ON OCTOBER 25, 1966; DECLARING AN EMERGENCY,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

SECTION 1. That Section 6 of Ordinance No. A-442, adopted by the City Council of the City of Conway, Arkansas on October 25, 1966 is hereby amended to read as follows, to-wit:

SECTION 6. IMPOUNDING OF DOGS, DESTROYING OF DOGS. The Animal Control workers of the City of Conway shall take into custody any dog found at large within the City of Conway, and shall impound the dog in the City Animal Shelter or such other place as such Animal Control workers may designate for purpose of impounding. Such impounded dog shall be held for a period of five (5) days, including as the first day of such period, the day on which the dog is taken into custody, at the end of which time the dog shall be destroyed unless custody of the dog is released prior thereto under the following conditions. During the first three (3) days of such impoundment the Animal Control workers of the City of Conway shall make diligent effort to determine the owner of such dog and notify him of such impoundment. If the owner of such dog fails, neglects or refuses to claim and repossess such dog by the payment of the proper fee as prescribed herein on or before 12:00 o'clock noon of the 5th day of such impoundment then the Animal Control workers of the City may deliver custody and possession thereof to any person other than the owner, or any person for or on behalf of the owner, upon payment of the sum of \$3.00, if such dog is currently licensed as required by law and has been vaccinated against rabies within 11 months immediately preceding delivery of possession of the dog. PROVIDED, if any person shall obtain possession and custody of any dog for or on behalf of the owner thereof for the purpose of avoiding payment of the fees and charges imposed upon the owner

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by the provisions of this ordinance, Loth the owner of such dog and the person or persons so obtaining possession and custody of the dog for the owner shall be deemed to have violated the terms of this ordinance arid both such persons and such owner shall be punished as is hereinafter provided.

SECTION 2. That Section 7 of Ordinance No. A-442, adopted by the City Council of the City of Conway, Arkansas on October 25, 1966 is hereby amended to read as follows, to-wit:

SECTION 7. RECLAIMING DOGS: FEE FOR RECLAIMING. Any person owning, possessing or keeping a dog which has been allowed to run at large and which has been impounded may claim and retrieve such dog from the City Animal Shelter by payment of a fee of \$5.00 for the day on which the dog is taken into custody plus an impoundment fee of \$2.50 for each subsequent day or part of a day that the dog remains in custody if the dog has been vaccinated against rauies within 11 months immediately preceding such impounding and is currently licenseu as required by law, but if the dog has not been vaccinated against rabies within the immediately preceding 12 months and/or is not currently licensed the dog may be retrieved by its owner when it has been so vaccinated and/or is currently licensed, as applicable, and upon payment of the aforesaid fees. The burden of proof as to vaccination and licensing shall be upon the party attempting to claim the dog from the Animal Control worker under this Ordinance. Any person claiming unvaccinated and unlicensed dogs shall, after the payment of the fee assessed herein, and prior to the release of the dog, cause said dog to be vaccinated and licensed in accordance with ordinances of said City then in force, an3 the cost or expense of such vaccination and license fee shall be paid by the party reclaiming such dog and shall be in addition to the fees hereinabove set out. The Animal Control worher shall keep complete and accurate records of all dogs impounded and should a dog be impounded a second time and being then still owned, possessed or kept by the same person, then in such event the

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Animal Control worker, prior to releasing said dog shall require a fee of \$25.00 to be paid by such owner, possessor or keeper of said dog in lieu of the fees hereinabove set out. Upon each subsequent impoundment of said dog the Animal Control worker shall not release said dog until the owner, possessor or keeper thereof shall have paid a fee of \$25.00. And should a dog be impounded a second or subsequent time when said dog is not currently licensed as required by the ordinances of the City and has not been vaccinated within one year next preceding such impoundment, then in such event the Animal Control worker shall not release said dog until a fee of \$100.00 has been paid.

SECTION 3. This ordinance being necessary for the public safety and welfare, an emergency is hereby declared to exist and this ordinance shall be in force and shall take effect from and after its passage and publication.

PASSED THE 25 day of April, 1972.

APPROVED:

Walter D. Dumas
Mayor

ATTEST:

Alice T. Dunn
City Clerk

EXHIBIT A

**TO THE LEASE AGREEMENT BY AND BETWEEN THE CITY OF
CONWAY, ARKANSAS, AND VALLEY INDUSTRIES, INC.**

**The following described real estate situated in. Faulkner County,
Arkansas, to-wit:**